# LIQUOR COMMISSION CITY AND COUNTY OF HONOLULU PACIFIC PARK PLAZA 711 KAPIOLANI BOULEVARD, SUITE 600 HONOLULU, HAWAII 96813

## AMENDED AGENDA – THIRTIETH MEETING

THURSDAY, FEBRUARY 23, 2023 4:00 P.M.

#### PUBLIC PARTICIPATION AND TESTIMONY

Public testimony may be accepted in writing or in person at the Honolulu Liquor Commission (Pacific Park Plaza, 711 Kapiolani Boulevard, Suite 600, Honolulu, Hawaii 96813).

#### ORAL TESTIMONY

You do not need to submit written testimony in advance to testify in person at the meeting. The Honolulu Liquor Commission will accept oral testimony on each public hearing agenda item as that item is discussed. Register with the staff at the Honolulu Liquor Commission (Pacific Park Plaza, 711 Kapiolani Boulevard, Suite 600, Honolulu, Hawaii 96813) by 4:00 p.m. on the day of the meeting.

#### WRITTEN TESTIMONY

Written testimony may be submitted to the Administrator of the Commission at least three (3) working days prior to the date of the meeting via in person, U.S. mail to **Honolulu Liquor Commission, 711 Kapiolani Boulevard, Suite 600, Honolulu, Hawaii 96813**, or e-mail to **liquor@honolulu.gov**.

#### **VIEWING THE MEETING**

Members of the public may view the meeting in person at the Liquor Commission office (Pacific Park Plaza, 711 Kapiolani Boulevard, Suite 600, Honolulu, Hawaii 96813) or by internet live streaming on the Liquor Commission YouTube Channel: (https://youtube.com/@honolululiquorcommission)

After the meeting, a video recording and summary of the meeting may be accessed on the Liquor Commission YouTube Channel (<a href="https://youtube.com/@honolululiquorcommission">https://youtube.com/@honolululiquorcommission</a>) and Event Calendar (<a href="https://www.honolulu.gov/lig/event-calendar/month.calendar/">https://www.honolulu.gov/lig/event-calendar/month.calendar/</a>) by selecting the appropriate meeting date.

Within (forty) 40 days after the meeting, the minutes of the meeting will be posted to the Liquor Commission website on our Event Calendar (<a href="https://www.honolulu.gov/liq/event-calendar/month.calendar/">https://www.honolulu.gov/liq/event-calendar/month.calendar/</a>) and may be accessed by selecting the appropriate meeting date. Prior meeting minutes may also be viewed at said website.

#### MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" HRS Section 92-7.5) are available for public inspection. Go to the Liquor Commission Event Calendar and select the meeting date for copies of the agenda and board packet. <a href="https://www.honolulu.gov/liq/event-calendar/month.calendar/">https://www.honolulu.gov/liq/event-calendar/</a>

#### **APPROVAL OF MINUTES:**

The regular minutes of the 13<sup>th</sup> (10/6/22), 14<sup>th</sup> (10/13/22), and 16<sup>th</sup> (10/27/22) meetings, as previously circulated, to be approved by the Commission.

The regular and executive session minutes of the 10<sup>th</sup> (9/8/22) meeting as previously circulated, to be approved by the Commission.

#### **OTHER BUSINESS:**

29. Liquor Commission

Discussion regarding Liquor Commission's delegation to Managing Director's Office to retain an independent contractor to investigate complaints against the Liquor Commission and Liquor Administration.

#### LICENSE APPLICATION:

#### Special License Application:

 Appl. No. 23-01462-1, 23-01462-2, and 23-01462-3 from Kelley Oneils LLC, dba Kelley Oneils LLC, 311 Lewers Street For a Special General license from 6:00 a.m. to 2:00 a.m. (daily except \*March 28, 2023) on the following dates (total of 8 days):

- 1) March 21, 22, and 23, 2023;
- 2) March 24, 25, and 26, 2023;
- 3) March 27, 2023; \*March 28, 2023 (ends at 11:59 p.m.)

Temporary Cabaret General license (Category No. 1 – Standard Bar) will expire on March 20, 2023 (I0074T)

#### PRELIMINARY HEARING:

2. Trans Appl. No. 22-24933 from Green Ocean Ventures, LLC, dba Bogart's Café and Espresso Bar

For the transfer of the business and Restaurant General license (Category No. 1 – Standard Bar) of Bronte, Inc., dba Bogart's Café and Espresso Bar, 3045 Monsarrat Avenue, Unit #9 (R1285)

(Concurrent with Agenda Item No. 3)

#### **REQUESTS:**

3. Request No. 23-00499 from Green Ocean Ventures, LLC, dba Bogart's Café and Expresso Bar, Temporary Restaurant General license (Category No. 1 - Standard Bar), 3045 Monsarrat Avenue, Unit #9 (R1285T)

Requesting approval to permanently increase its licensed premises approximately 350 square feet to include an outdoor dining area fronting the licensed premises

(Effective date of the increase will be upon issuance of the transfer license)

(Concurrent with Agenda Item No. 2)

4. Request No. 23-01487 from Repettis Provisions LLC, dba Repetti's Pizza & Provisions, Restaurant General license (Category No. 1 – Standard Bar), 377 Keahole Street, Unit C-4 (R01515)

Requesting approval to temporarily increase its licensed premises from 11:00 a.m. to 9:00 p.m. (daily) from Tuesday, February 28, 2023 to Friday, December 1, 2023

5. Request No. 23-01505 from Mele Garden LLC, dba Okole Maluna Garden, Special General license, 91-1780 Midway Road, Kapolei (H01509) Requesting approval to redistribute specified unused 26 dates

(Appls. No. 23-01282-1 through 23-01282-26 approved on February 2, 2023 for 77 intermittent dates)

#### REQUESTS: (CONT.)

6. Request No. 23-01519 from 2375 Ala Wai Property LLC, dba Wayfinder Waikiki, Hotel General license, 2375 Ala Wai Boulevard (L00035)

Requesting approval to temporarily reduce its licensed premises from 6:00 a.m. to 11:59 p.m. (daily) from Friday, February 24, 2023 to Sunday, May 14, 2023

7. Request No. 23-01523 from Pacific Sweets, LLC, dba Redfish Poke Bar by Foodland, Catering license, 2375 Ala Wai Boulevard (P00037)

Requesting approval to amend floor plan

#### **OTHER BUSINESS: (CONT.)**

8. Request No. 23-01506 from Robin Melchor, Esq., on behalf of Enigma LLC, dba Wa Bar

Requesting waiver of Rule 3-82-32.1(a) requiring a temporary license application be filed within five (5) working days of the cancellation of the previous license or the closing of the business

(Premises at 2840 Kapiolani Boulevard, the former site of Gazen Bar & Grill (R0603))

#### ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER:

9. American Renaissance Academy (LCV 19-0400) (N8149) For adoption of Findings of Fact, Conclusions of Law, Decision and Order

10. Hale Vietnam Restaurant (Pho Hoa Hawaii) (LCV 22-0073) (E0344) For adoption of Decision and Order

#### ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER: (CONT.)

11. Mai Tai's Grill and Bar (LCV 22-0124) (E1610)

For adoption of Decision and Order

12. The Pig and The Lady LLC (LCV 22-0125) (R0983)

do.

13. Rangoon Burmese Kitchen (LCV 22-0126) (R1363)

do.

14. Red Lobster (LCV 22-0135) (R0248) do.

15. Siam Paradise Restaurant and Sports Pub (LCV 22-0136) (E1453)

do.

#### **ADJUDICATION HEARINGS:**

16. Club Bonita (LCV 22-0082) (E1032)

- (1) Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about June 3, 2022)
- (2) Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way, including but not limited to, the sounding of alarms, flashing of lights or use of a public address system or other advance warning announcing the arrival of Commission investigators (Violation of Rule 3-84-79.1) (Date of violation: On or about June 3, 2022)

Club Bonita (LCV 22-0082) (E1032) (Cont.) (3) Licensee failed to have all interior rooms or enclosed areas in dispenser or cabaret licensed premises where liquor is sold, served or consumed, constructed in such a manner as to permit a full view of the interior of the room through a transparent window on the entry door or on the wall (Violation of Rule 3-84-72.3) (Date of violation: On or about June 3, 2022)

(Continued from February 16, 2023)

[History: 12/22/22, 1/26/23\*, 2/16/23]

(\*Rescheduled from January 26, 2023)

17. Workplay LLC (LCV 22-0106) (R1333)

Licensee utilized an electronic or otherwise recorded payroll registration for the purpose of keeping employee time cards or other adequate records without first obtaining the Administrator's approval (Violation of Rule 3-82-38.4(c)) (Date of violation: On or about August 11, 2022)

(Continued from January 12, 2023)

18. Workplay LLC (LCV 22-0107) (R1333)

Licensee employed a person in that section of the licensed premises where liquor is sold, served, or consumed without said employee being properly registered (Violation of Rule 3-82-38.5(b)) (Date of violation: On or about August 11, 2022)

(Continued from January 12, 2023)

- 19. Misty I (LCV 19-0087) (E0107)
- (1) Licensee permitted a person on the licensed premises, other than registered dancers during their performances, to have his entire buttocks exposed (Violation of Rule 3-84-78.02(a)) (Date of violation: On or about February 23, 2019)
- (2) Licensee failed to have the interior and/or exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about February 23, 2019)

(Continued from January 19, 2023)

[History: 8/6/20, 1/19/23]

- 20. Misty I (LCV 19-0310) (E0107)
- (1) Licensee's employee, who was not performing as an exotic dancer, was unclothed or in such attire, costume or clothing as to expose to view any portion of the pubic hair, anus, cleft of the buttocks, genitals, or any portion of the breast below the top of the areola (Violation of Rule 3-84-78.02(a)) (Date of violation: On or about August 23, 2019)
- (2) Licensee failed to have the interior and/or exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about August 23, 2019)

(Continued from January 19, 2023)

21. Club Secret (LCV 20-0124) (E1190) Licensee encouraged and/or permitted a person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitalia of herself or any other person, either directly or through the clothing or any other material (Violation of Rule 3-84-78.042) (Date of violation: On or about June 19, 2020)

(Continued from January 19, 2023)

[History: 9/29/22, 1/19/23]

22. Club Secret (LCV 22-0011) (E1190) Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about January 20, 2022)

(Continued from January 19, 2023)

[History: 9/29/22, 1/19/23]

23. Melody LLC (LCV 20-0026) (E1546) Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about January 10, 2020)

(Continued from January 19, 2023)

[History: 11/10/22, 1/19/23]

24. Club Rosa (nka Club Boomerang) (LCV 22-0139) (E0634) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about September 29, 2022)

25. Mezzo Bistro (LCV 22-0137) (R1458) Licensee failed to make time record entries at the time its employee(s) reported on duty and again when the employee(s) went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about September 29, 2022)

26. Royal Hawaiian Golf Club (LCV 21-0038) (R0365) Licensee failed to timely submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about November 30, 2020)

(Continued from February 16, 2023)

[History: 11/3/22, 1/26/23\*, 2/16/23]

(\*Rescheduled from January 26, 2023)

27. Hwangjae Corporation (LCV 22-0065) (D1306)

Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about May 7, 2022)

(Continued from October 13, 2022 for a contested hearing)

28. Hwangjae Corporation (LCV 22-0084) (D1306)

Licensee permitted the sale, service or consumption of liquor on or within the licensed premises before or after the hours established by the Commission (Violation of Rule 3-82-38.20(a)) (Date of violation: On or about June 5, 2022)

(Continued from October 13, 2022 for a contested hearing)

### OTHER BUSINESS: (CONT.)

30. Liquor Administrator

Legislative Update

31. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you need an auxiliary aid and/or service or other accommodation due to a disability to participate in this event (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to <a href="mailto:liquor@honolulu.gov">liquor@honolulu.gov</a>, at least five (5) business days prior to the meeting. Requests made as early as possible will allow adequate time to fulfill your request.